

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Kevin A. Perry, Jr.

v.

Civil No. 21-cv-252-SE

Warden, FCI Berlin

O R D E R

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated December 23, 2021 ([doc. no. 30](#)). Mr. Perry's 28 U.S.C. § 2241 petition is no longer justiciable and is **DISMISSED** without prejudice. All pending motions ([doc. nos. 9, 12, 22, and 27](#)) are **DENIED** as moot. Judgment should enter, and this case should be closed.

"[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal." [Sch. Union No. 37 v. United Nat'l Ins. Co.](#), 617 F.3d 554, 564 (1st Cir. 2010) (quotation omitted); [see United States v. Valencia-Copete](#), 792 F.2d 4, 6 (1st Cir. 1986) (after proper

notice, failure to file a specific objection to magistrate's report waives the right to appeal district court's order).

SO ORDERED.



Samantha D. Elliott
United States District Judge

January 31, 2022

cc: Kevin A. Perry, Jr., pro se
Seth R. Aframe, Esq.